

Remarks/ Arguments

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claims 8-9 and 16-21 under 35 U.S.C. 112 second paragraph.

Claim 8 has been amended so that it now depends from claim 6 rather than claim 1. Therefore, it is respectfully submitted that amended claim 8 is written to overcome this rejection. The Examiner has rejected claim 16 under 35 U.S.C. 112. Claim 16 has been amended as well.

The Examiner has rejected claims 1, 2, 8 and 15 under 35 U.S.C. 103 as being unpatentable over Solomon '521. Claim 1 has been amended to include elements from claim 13. Therefore, it is respectfully submitted that claim 1 has been amended to overcome this rejection.

The Examiner has rejected claims 1, 2, 6-7 under 35 U.S.C.

103(a) as being anticipated by Akira in view of Solomon or Cabrera. Claim 1 has been amended to include elements from claim 13. In particular, claim 1 has been amended to include a glove. This feature is not shown by the above cited art. Therefore it is respectfully submitted that claim 1 is patentable over the above cited references and rejection.

The Examiner has rejected claims 1, 9, 10, 13-14, and 16-21 under 35 U.S.C. 103(a) as being unpatentable over Gemma '456 in view of Cabrera '028.

It is respectfully submitted that there is no suggestion or motivation to combine the references to Gemma or Cabrera to arrive at the invention as claimed in amended claim 1.

For example Gemma discloses a book that includes a puppet device which can be in the form of a finger puppet or glove. However, this reference does not even hint at the use of a connecting element in the form of a line or string connecting the puppet or glove to a book. Instead the device of Gemma is much more complicated with additional puppets that may be attached to the glove element, rather than being formed integral with this glove element as disclosed with the present invention in claim 1. Gemma would not have any need for a line connecting the puppet to a

book because Gemma is formed from a plurality of different components that are not necessarily connected to the book. In addition Gemma with its design as shown in FIG. 2 indicates that this device can be separated into different pieces. Therefore it is respectfully submitted that the device disclosed in Gemma would not suggest using a line or connecting element shown in Cabrera.

Alternatively, Cabrera does not disclose the following feature claimed in claim 1:

...wherein said ~~puppet~~ glove can be stored in said container and wherein said puppets ~~is~~ are in the form of at least one finger puppet...

Cabrera relates not to a glove containing multiple finger puppets that can be stored inside of a container but rather to a stocking that can be coupled to a book wherein the book can be stored inside of the stocking. This stocking shown does not reveal the use of finger puppets. In addition as shown in FIGS. 1 and 2 of Cabrera, the book is stored inside of the stocking rather than a glove being stored inside of a compartment on a book.

Under MPEP rule 2143.1, obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)

Thus, this rule states that if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). It is respectfully submitted that claim 1 as amended is patentable over the combination of Gemma and Cabrera because Gemma was designed to be a device which has a plurality of detachable elements while Cabrera was designed to be a stocking which can be used to store a book. Both of these original designs would have to be modified extensively such that they are used for a different purpose and with a different principle of operation before it would

be obvious in view of amended claim 1.

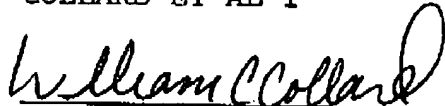
Therefore, it is respectfully submitted that claim 1 as amended is patentable over the above cited references taken either singly or in combination. Accordingly it is respectfully submitted that claims 2-21 which ultimately depend from claim 1 are patentable as well.

Early allowance of the remaining claims is respectfully requested.

A prompt notification of allowability is respectfully requested.

Respectfully submitted,

COLLARD ET AL 1

  
Allison C. Collard  
William C. Collard 38411  
Edward R. Freedman

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Attorneys for Applicant

I hereby certify that this correspondence is being sent by facsimile transmission to the U.S.P.T.O. to Patent Examiner Suhol. D at Group No.3714 , to 1-703-872-9306 on June 10, 2005 .

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8. (Currently Amended) The device as in claim ~~7~~ 6, wherein said front cover has an outside face and an inside face, said container is in the form of a pouch coupled to said inside face of said front cover, wherein said ~~puppet~~ at least one glove can be stored inside of said pouch.

9. (Currently Amended) The device as in claim 1, wherein, said front cover has an outside face and an inside face, and the device further comprises a fastener coupled to the inside face of said cover.

10. (Previously Presented) The device as in claim 9, wherein said fastener is in the form of a hook and loop fastener.

11. (Previously Presented) The device as in claim 1, further comprising a spindle disposed within said container, wherein said line is coupled to said spindle.

12. (Previously Presented) The device as in claim 11, wherein said spindle is rotatable within said container and wherein the device further comprises a spring coupled to said spindle for spring loading said spindle in said container.

13. (Currently Amended) The device as in claim 1, wherein